

that the current restrictions which prohibit lobbying contacts only with the former employer, whether Member or committee, are inadequate. High level staffers have contacts and work closely with people throughout the body, not just with the other staff or Members on their committees or in their Member's office. These are people making \$102,000 or more. They are highly in demand in the lobbying world, not just for their expertise but for their contacts. If the cooling off period is to mean anything with respect to these senior staff, it must cover more than the individual committee or member of Congress for whom they worked.

Some senior staff undoubtedly have contacts with their counterparts in the other body. But their day to day work, and therefore their closest contacts will be in the house of Congress in which they work. So this amendment leaves an outlet for the use of a former staffer's expertise in lobbying the other body. To me, that is a reasonable balance, and not an unreasonable restriction on a staffer's future employment.

Now some might argue that we are inhibiting talented individuals from pursuing careers in policy matters on which they have developed substantial expertise. It may be asked why a former high-level staffer on the Senate Subcommittee on Communications of the Senate Commerce Committee cannot accept employment with a telecommunications company? After all, this person has accumulated years of knowledge of our communication laws and technology. Why should this individual be prevented from accepting private sector employment in the communications field?

But my amendment does not bar anyone from seeking private-sector employment. Staffers can take those jobs with the telecommunications company, but what they cannot do is lobby their former colleagues in the house of Congress for which they worked for two years. They can consult, they can advise, they can recommend, but they cannot lobby their former colleagues.

I considered an even longer cooling off period for staffers to be barred from lobbying their former employer, be it a member or a committee, but decided that the two year, house of Congress limitation strikes the best balance. Two years is the length of an entire Congress. That period of time should be enough to mitigate to a great extent the special access that the staffer is likely to have because of his or her former position. At the same time, it allows the staffer who is intent on pursuing a lobbying career to concentrate on the other body for two years, and then return to the side of the Capitol in which he or she worked after that period.

Mr. President, this amendment is not an attack on the profession of lobbying. The right to petition the government is a fundamental constitutional right. Simply attacking lobby-

ists does not address the true flaws of our political system. Lobbying is merely an attempt to present the views and concerns of a particular group and there is nothing inherently wrong with that. In fact, lobbyists, whether they are representing public interest groups or Wall Street, can present important information to Members of Congress that may not otherwise be available.

I strongly believe that there is no more noble endeavor than to serve in government. But we need to take immediate action to restore the public's confidence in their government, and to rebuild the lost trust between members of Congress and the electorate. This amendment is a strong step in that direction because it addresses a perception that too often rises to the level of reality—that the interests that hire former Members or staffers from the Congress have special access when they lobby the Congress. We need to slow the revolving door to address that perception, and this amendment will do just that.

I am pleased that the managers have agreed to accept my amendment and that it has become part of the bill that will go to the President for signature.

I yield the floor.

Mr. BENNETT. Mr. President, I yield back the remainder of our time.

Mrs. FEINSTEIN. I yield back the remainder of our time.

Mr. BENNETT. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, Shall the bill pass?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. REID. I announce that the Senator from Iowa (Mr. HARKIN) is necessarily absent.

The PRESIDING OFFICER (Mr. ABRAHAM). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 95, nays 4, as follows:

[Rollcall Vote No. 173 Leg.]

YEAS—95

Abraham	Domenici	Kohl
Akaka	Dorgan	Kyl
Allard	Durbin	Landrieu
Ashcroft	Edwards	Lautenberg
Bayh	Enzi	Leahy
Bennett	Feingold	Levin
Biden	Feinstein	Lieberman
Bingaman	Fitzgerald	Lincoln
Bond	Frist	Lott
Boxer	Gorton	Lugar
Breaux	Graham	Mack
Brownback	Grams	McCain
Bryan	Grassley	McConnell
Bunning	Gregg	Mikulski
Burns	Hagel	Moynihan
Byrd	Hatch	Murkowski
Campbell	Helms	Murray
Chafee	Hollings	Nickles
Cleland	Hutchinson	Reed
Cochran	Hutchison	Reid
Collins	Inhofe	Robb
Coverdell	Inouye	Roberts
Craig	Jeffords	Rockefeller
Crapo	Johnson	Roth
Daschle	Kennedy	Santorum
DeWine	Kerrey	Sarbanes
Dodd	Kerry	Schumer

Sessions	Stevens	Voinovich
Shelby	Thomas	Warner
Smith (OR)	Thompson	Wellstone
Snowe	Thurmond	Wyden
Specter	Torricelli	

NAYS—4

Baucus	Gramm
Conrad	Smith (NH)

NOT VOTING—1

Harkin

The bill (H.R. 1905), as amended, was passed.

The PRESIDING OFFICER. H.R. 1905 having passed, the Senate insists on its amendments, requests a conference with the House, and the Chair appoints the following conferees.

The Presiding Officer (Mr. ABRAHAM) appointed Mr. BENNETT, Mr. STEVENS, Mr. CRAIG, Mr. COCHRAN, Mrs. FEINSTEIN, Mr. DURBIN, and Mr. BYRD conferees on the part of the Senate.

Mr. WARNER. Mr. President, I move to reconsider the vote.

Mr. REID. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MORNING BUSINESS

Mr. WARNER. I ask unanimous consent the Senate proceed to a period for morning business with Senators permitted to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

THE Y2K LIABILITY BILL

Mr. REED. Mr. President, I would like to take this opportunity to discuss S. 96, the McCain bill concerning Y2K litigation. It is unfortunate that this bill has, to some extent, been utilized by those on both extremes of the tort reform debate: with proponents arguing that opposition to the bill reflects contempt for our economy and a few opponents accusing the bill's supporters of contempt for consumers' rights. The truth, as usual, is somewhere in between these two poles.

As our economy evolves, becoming national and international in scope, situations will arise that demand procedural and substantive changes to our legal system. Moderate, balanced tort reform is an issue on which I have worked for some years. I approach each issue with the same question: can our legal system be made more efficient while continuing to provide adequate, just protections to consumers? This approach has led me to support reforms which have been validated by the test of time.

Mr. President, in 1994, I supported one of the first tort reform measures to pass Congress, the Aviation Revitalization Act of 1994. At that time small plane manufacturers had been almost extinguished by costly litigation. This narrowly-tailored legislation limited the period, to eighteen years, in which manufactures could be sued for design or manufacturing defects. In the six